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PTO/SB/25 (08-03)

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATIONDocket Number (Optional)
5235

In re Application of: Cates et al.

Application No.: 10/044,171

Filed: October 22, 2001

For: Coated Textile Substrate for Image Printing

The owner, Milliken & Co., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/044,414, filed on 10-22-01, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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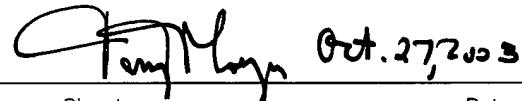
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

10/30/2003 KBETEMA1 00000028 040500 10044171

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Oct. 27 2003

Signature

Date

Terry T. Moyer, Vice President and
Senior Counsel

Typed or printed name

(864) 503-1600

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.
The Commissioner is hereby authorized to deduct the Terminal Disclaimer fee from our Deposit Account No. 04-0500.

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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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O I P E Serial No.: 10/044,171
Inventor(s): Cates et al.

U.S. PTO Customer No. 25280
Case No.: 5235

OCT 27 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Cates et al.

PII

Serial Number: 10/044,171

Filed: October 22, 2001

For: Coated Textile Substrate for Image Printing

Group Art Unit: 1774

Examiner: Grendzynski, Michael E.

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Commissioner for Patents
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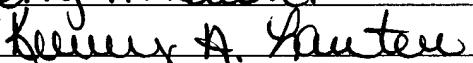
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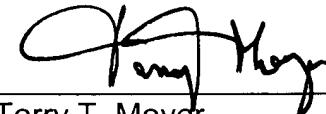
Name: Kerry A. Hawter

Signature: 

STATEMENT UNDER 37 CFR § 3.73(b)

Milliken & Company states that it is the Assignee of the entire right, title, and interest in the patent application-patent identified above by virtue of an Assignment from the inventors Elizabeth Cates, Daniel McBride, William Kimrell, and Kirkland, which is recorded in the Patent and Trademark Office at Reel 012680, Frame 0080, for which a copy thereof is attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.



Terry T. Moyer
Vice President and Senior General Counsel
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